

Vincent G. Burkhardt
President



November 1, 2022; Rev. 11/22/2022

Town of Palm Beach
Public Works/Engineering Department
Attn: Mr. Dean Mealy, Purchasing Manager
951 Old Okeechobee Road, Ste. "A"
West Palm Beach, FL 33401

**RE: Phipps Ocean Park Improvements – 2023-01
Construction Manager at Risk Pre-construction Services Proposal**

Dear Mr. Mealy:

Burkhardt Construction, Inc. (BCI), acting as Construction Manager at Risk (CMAR) is pleased to provide this proposal to the Town of Palm Beach (Owner) for Pre-construction Services for Phipps Ocean Park Improvements. The Preservation Foundation of Palm Beach, in collaboration with the Town of Palm Beach, has developed a master plan to guide the improvements to Phipps Ocean Park located in the Town of Palm Beach.

The work designed and to be constructed is generally described as obtaining all necessary permits, the relocation of the historic Little Red School House, reconfiguration of park entry points, installation of native vegetation, reconfiguration of existing parking lots, new signage, lighting, demolition, tree relocations, earthwork/grading, traffic control, proposed pathways, pickleball courts, new playground, various park amenities, coastal restoration facility, new restrooms and picnic areas. The Construction Manager at Risk will coordinate the schedule of the work performed by his own forces and subcontractors, as well as any work that may be performed by utility owners and monitor the progress and schedule of the overall project. Existing local traffic must be maintained with special attention paid to access to/from the Fire Station and training facilities, and Public Works facilities which are located within the park. Public access will also need to be maintained to the beach and tennis facility located within the park.

As CMAR, BCI shall function as an agent of the Owner, shall be paid a fixed fee for services performed and shall be an integral part of the design team. Pre-construction services will include:

- Preconstruction meeting attendance;
- Review and input of schedule;
- Review of proposed construction documents and a cost estimate;
- The development of Guaranteed Maximum Price (GMP) for the construction of the facilities based on the design;
- Develop maintenance costs accordingly

Pre-construction services shall be rendered and invoiced in the following format:

TASK I**PRE-CONSTRUCTION PROGRESS MEETINGS**

The scope includes the CMAR to participate in team progress meetings, attended by the CMAR, Design Professionals, Owner and others as requested. It is anticipated that these meetings will be held at the Owner's office, Design team's office or location as designated by the Owner.

Estimated 12 meetings required.

Public meetings and presentations shall be as directed by the Owner and may be requested at 90% or 100% plan completion. The public outreach shall consist of the CMAR facilitating a meeting with the residents and public to discuss the project. The presentation shall include introduction of the project team, who & how to contact team individuals, discussion of the project sequences, project phasing/ schedule, pedestrian/traveling public access during construction and additional details as requested by the Owner.

Estimated 2 meetings anticipated

TASK I – GUARANTEED NOT TO EXCEED \$20,440.00

TASK II**PRE-CONSTRUCTION AND CONSTRUCTION PHASE SCHEDULING**

Based on the provided information, CMAR will develop a master Pre-Construction phase bar chart schedule incorporating design development, permitting, plan review, guaranteed maximum price preparation, submittal review & approval, long lead item identification & procurement and construction phase sequencing.

TASK II – GUARANTEED NOT TO EXCEED \$8,400.00

TASK III**PLAN REVIEW / CONSTRUCTABILITY REVIEW / 60% COST ESTIMATE**

This scope includes review of the plans as provided by the Design Team. The review shall report to the Owner any design criteria which may present considerable constructability challenges. This scope also will assist the Design Team in any plan modifications and re-design.

This scope includes one (1) 60% construction drawing cost estimate.

TASK III – GUARANTEED NOT TO EXCEED \$43,020.00

TASK IV**GUARANTEED MAXIMUM PRICE (GMP) - 90% Plans**

BCI will prepare and submit a GMP to the Owner after completion of the pre-construction services phase of the project. The GMP proposal will be prepared in accordance with the guidelines and delivered in the format specified by the Owner. The Owner, at its sole option and discretion, may specify different requirements for the GMP proposal. The GMP will be valid for 90 days after submission. BCI will submit the GMP proposal in a bound format which will include, but not be limited to the following:

- Cover sheet including project title and Owner project number;
- Summary sheet of GMP Proposal including subcontractor bids, allowances, contingencies, bonds, insurance, conditions and exclusions. This sheet will also contain contract time, construction start date, date of substantial completion, date of final completion, critical path schedule and proposed work hours
- Schedule of values
- Detailed summary of general conditions
- Allowance list statement amounts and uses
- Proposed subcontractor list
- Subcontractor bid sheets
- Plans, drawings and specifications specific to the GMP
- Any supporting documents referenced in the GMP

At such time as the GMP preparation process results in a mutually agreeable GMP value, the Owner will document its acceptance thereof in writing and both parties shall execute a contract amendment for the project that incorporates the GMP and its supporting documents into the contract. CMAR's scope of basic and additional services shall be detailed and subject to a final determination of the project scope and size and careful negotiation and coordination between BCI and the Owner.

TASK IV – GUARANTEED NOT TO EXCEED \$19,100.00

TASK V**DEVELOPMENT OF MAINTENANCE COSTS**

BCI will assist the Town in the development of a unique set of maintenance costs. BCI will evaluate and take into consideration the different elements proposed for this project and the necessary maintenance needs that go above standard operational requirements.

TASK V – GUARANTEED NOT TO EXCEED \$15,800.00

TOTAL PRECONSTRUCTION SERVICES FEE ALL TASKS I THROUGH V:

\$106,760.00

**BURKHARDT
CONSTRUCTION, INC.**

All tasks and fees include supplies, presentation materials, equipment, personnel, travel and related costs associated with performing the services described.

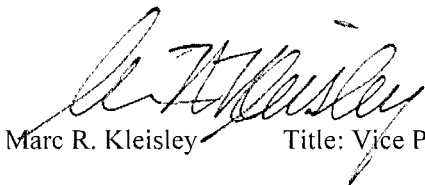
Presentation and acceptance, by the Owner, of a mutually acceptable GMP shall conclude preconstruction services.

We have attached our current hourly rates for your use should additional pre-construction services be requested.

Thank you for the opportunity to submit this pre-construction services proposal. If you have any questions on this proposal, please contact us at (561) 659-1400.

Submitted By:
Construction Manager

Burkhardt Construction, Inc.


Marc R. Kleisley Title: Vice President

Accepted by:
Owner

Town of Palm Beach

By: _____
Printed Name

Title: _____

Date: _____

Upon your acceptance of this letter agreement Burkhardt Construction, Inc. shall begin work immediately. Please return one original for our files.

Preconstruction Services Backup

From **Burkhardt Construction, Inc.**
1400 Alabama Ave., Suite #20
West Palm Beach, Fl., 33401
Att: Marc R. Kleisley
Telephone: (561)-659-1400

To: **Town of Palm Beach**
951 Old Okeechobee Road
West Palm Beach, Fl., 33401
Telephone: (561)-838-5440

Regarding: Phipps Ocean Park Improvements
Preconstruction Services Agreement

Contract Date: 11/1/2022; Rev. 11/22/2022

Item Description

Task I, Preconstruction Progress Meetings				\$	20,440.00
	QTY	HRS	RATE		
Snr. Project Mgr.	7	4	\$ 150.00	\$	4,200.00
Project Mgr.	14	4	\$ 120.00	\$	6,720.00
Vert. Proj. Mgr	14	4	\$ 120.00	\$	6,720.00
Clerical	14	4	\$ 50.00	\$	2,800.00
Task II, Preconstruction / Construction Phase Scheduling				\$	8,400.00
Snr. Project Mgr.	2	6	\$ 150.00	\$	1,800.00
Project Mgr.	2	10	\$ 120.00	\$	2,400.00
Vert. Proj. Mgr	2	10	\$ 120.00	\$	2,400.00
Const. Field Mgr.	2	6	\$ 100.00	\$	1,200.00
Clerical	2	6	\$ 50.00	\$	600.00



Task III					<u>\$</u>	<u>43,020.00</u>
Plan Review / Constructability Review						
Snr. Project Mgr.	2	32	\$	150.00	\$	9,600.00
Project Mgr.	2	32	\$	120.00	\$	7,680.00
Vert. Proj. Mgr	2	16	\$	120.00	\$	3,840.00
Const. Field Mgr.	2	32	\$	100.00	\$	6,400.00
60% Cost Estimate						
Snr. Project Mgr.	1	8	\$	150.00	\$	1,200.00
Project Mgr.	1	40	\$	120.00	\$	4,800.00
Vert. Proj. Mgr	1	40	\$	120.00	\$	4,800.00
Const. Field Mgr.	1	20	\$	100.00	\$	2,000.00
Cost. Engineer	1	20	\$	75.00	\$	1,500.00
Clerical	1	24	\$	50.00	\$	1,200.00
Task IV, Guaranteed Maximum Price (GMP)					<u>\$</u>	<u>19,100.00</u>
Project Principal	1	10	\$	200.00	\$	2,000.00
Snr. Project Mgr.	1	20	\$	150.00	\$	3,000.00
Project Mgr.	1	40	\$	120.00	\$	4,800.00
Vert. Proj. Mgr	1	40	\$	120.00	\$	4,800.00
Const. Field Mgr.	1	20	\$	100.00	\$	2,000.00
Cost. Engineer	1	20	\$	75.00	\$	1,500.00
Clerical	1	20	\$	50.00	\$	1,000.00
Task V, Maintenance Cost Development					<u>\$</u>	<u>15,800.00</u>
Snr. Project Mgr.	1	12	\$	150.00	\$	1,800.00
Project Mgr.	1	40	\$	120.00	\$	4,800.00
Vert. Proj. Mgr	1	40	\$	120.00	\$	4,800.00
Const. Field Mgr.	1	16	\$	100.00	\$	1,600.00
Cost. Engineer	1	16	\$	75.00	\$	1,200.00
Clerical	1	32	\$	50.00	\$	1,600.00
TOTAL					<u>\$</u>	<u>106,760.00</u>

